

AGENDA MEMO

TO: Mayor & City Commission

AGENDA DATE: 11/15/2010

FROM: Faith G. Miller, City Manager

AGENDA ITEM: 8 - A

SUBJECT: Ordinance No. 12-2010, Amending the Capital Improvements Element (CIE) of the City of Deltona's Comprehensive Plan, for first reading.

LOCATION:

N/A

BACKGROUND:

The Capital Improvements Element of the Comprehensive Plan must be reviewed and updated by December of each year. Deltona may not amend its Future Land Use Map until the annual update of the CIE is adopted and has been found in compliance by the Florida Department of Community Affairs (DCA). The first reading required by Section 166.041, Florida Statutes, is scheduled for November 15, 2010. The second reading required by Section 166.041 and the single public hearing for CIE amendments required by Section 163.3177(3) (b)(2), Florida Statute will be scheduled for a December meeting.

Staff has reviewed the current Class "A" capital improvements and summarized expenditures and funds carried forward for the next five (5) years. The City's CIE has been reviewed to ensure compliance with adopted levels of service (LOS) standards. Adjustments have been made to update the CIE, in collaboration with the City's Finance Department.

**ORIGINATING
DEPARTMENT:**

Planning and Development Services

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Attorney, Planning Director, and Finance Director

**STAFF
RECOMMENDATION
PRESENTED BY:**

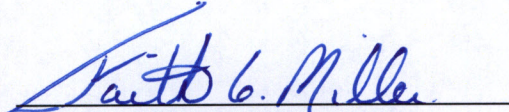
Ron Paradise, Assistant Planning and Development Services

**POTENTIAL
MOTION:**

Director - Staff recommends that the City Commission approve Ordinance No. 12-2010 for first reading.

**AGENDA ITEM
APPROVED BY:**

"I hereby move to approve Ordinance No. 12-2010, at first reading, that amends and updates the City of Deltona's Capital Improvements Element of the Comprehensive Plan."


Faith G. Miller, City Manager

ATTACHMENTS:

- CIE Ordinance

ORDINANCE NO. 12-2010

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA,
PERTAINING TO A COMPREHENSIVE PLAN; PROVIDING
FOR A CAPITAL IMPROVEMENTS ELEMENT
AMENDMENT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Deltona is required to annually review and modify as necessary its capital improvements element; and

WHEREAS, the City of Deltona has reviewed its capital improvements element and determined it is necessary to update the Five Year Schedule of Capital Improvements contained therein;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF DELTONA, FLORIDA:**

Section 1. Comprehensive Plan Amendments. The Five Year Schedule of Capital Improvements section of the capital improvement element is hereby amended as set forth in attachment "A" hereto.

Section 2. Severability. Upon a determination by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

Section 3. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA, THIS _____ DAY OF _____, 2010.**

City of Deltona
Ordinance No. 12-2010
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First Reading: _____

Advertised: _____

Second Reading: _____

DENNIS MULDER, Mayor

ATTEST:

JOYCE KENT, City Clerk

Approved as to form and legality for use
and reliance of the City of Deltona, Florida:

GARY J. COONEY, City Attorney